IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

RONALD CLIFFORD SNEE, JR.,	
Plaintiff,	
VS.) Civil Action No. 09-147 E
) Judge Terrence F. McVerry/
) Magistrate Judge Maureen P. Kelly
MICHAEL BARONE, Superintendent,	
Defendant	·.)

ORDER

AND NOW, this 10th day of April, 2012, after the Petitioner, Ronald Clifford Snee, Jr., filed an action in the above-captioned case, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties until March 19, 2012, to file written objections thereto, and no objections having been filed, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the petitioner for writ of habeas corpus (the "Petition"), filed pursuant to 28 U.S.C. § 2241, is treated as a Section 2254 petition and is dismissed.

IT IS FURTHER ORDERED that a certificate of appealability is denied.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the parties desire to appeal from this Order they must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed. R. App. P.

s/ Terrence F. McVerry
Terrence F. McVerry
United States District Judge

cc: Honorable Maureen P. Kelly United States Magistrate Judge

> Ronald Clifford Snee, Jr. GW-4262 SCI Forest P.O. Box 945 Marienville, PA 16239

All Counsel of Record by electronic filing